

**Drawn by and Mail To:**  
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**301 Fayetteville Street, Suite 1400**  
**Raleigh, NC 27601**

**STATE OF NORTH CAROLINA**

**DEED OF PARTIAL RELEASE**

**COUNTY OF DURHAM**

FOR AND IN CONSIDERATION of the sum of Ten Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, Ashley L. Hogewood, Jr., a citizen and resident of Mecklenburg County, North Carolina, as Deed of Trust trustee ("*Trustee*"), and U.S. Bank National Association ("*U.S. Bank*"), the successor to Deutsche Bank National Trust Company, as assignee of New Durham Corporation ("*Beneficiary*") pursuant to the Indenture of Trust dated as of August 1, 2003 (the "*2003 Indenture*"), as supplemented by Supplemental Indenture, Number 1 dated as of May 1, 2005 (the "*First Supplement*") and as further supplemented by Supplemental Indenture, Number 2 dated as of May 17, 2012 (the "*Second Supplement*," and together with the 2003 Indenture and the First Supplement, the "*Indenture*"), each between the Corporation and Deutsche Bank, the successor to which is U.S. Bank, as trustee, as beneficiary of that certain Deed of Trust and Security Agreement dated as of the 1<sup>st</sup> day of August, 2003 and recorded in Book 4078, Pages 164-183 of the Durham County Register of Deeds office ("*2003 Deed of Trust*"), as extended pursuant to a Notice of Extension to the Deed of Trust dated as of the 1<sup>st</sup> day May, 2005 and recorded in Book 4790, Pages 671-684 (the "*Notice*," and together with the 2003 Deed of Trust, the "*Deed of Trust*"), do hereby remise, release and forever quitclaim unto the City of Durham, North Carolina, a municipal corporation duly created and validly existing under the laws of the State of North Carolina (the "*Grantee*"), its successors and assigns, that portion of the tract or parcel of real property described in Exhibit A, incorporated herein by reference, that is encumbered by the Deed of Trust.

TO HAVE AND TO HOLD the said real property and premises described in Exhibit A unto Grantees and their successors and assigns, free and discharged from lien of the Deed of Trust and from the claims of any and all persons thereunder.

IN TESTIMONY WHEREOF, the aforementioned Trustee and Beneficiary have executed this Deed of Partial Release under seal as of the \_\_\_\_ day of February, 2015.

**SEE SIGNATURE AND NOTARY ACKNOWLEDGMENTS ATTACHED HERETO  
AND INCORPORATED HEREIN BY REFERENCE**

**TRUSTEE:**

\_\_\_\_\_(SEAL)  
Ashley L. Hogewood, Jr.

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, a Notary Public of the County and State aforesaid, certify that **ASHLEY L. HOGEWOOD, JR.**, Trustee, personally appeared before me this day and acknowledged the signing of the foregoing instrument.

Date: \_\_\_\_\_

\_\_\_\_\_  
Official Signature of Notary

\_\_\_\_\_, Notary Public  
Notary Public's printed or typed name

My Commission expires: \_\_\_\_\_

(Official Stamp or Seal)

**BENEFICIARY:**

**U.S. BANK NATIONAL ASSOCIATION,  
SUCCESSOR TO DEUTSCHE BANK  
NATIONAL TRUST COMPANY, AS  
ASSIGNEE OF NEW DURHAM  
CORPORATION, AS TRUSTEE**

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that (s)he is the \_\_\_\_\_ of **U.S. BANK NATIONAL ASSOCIATION, SUCCESSOR TO DEUTSCHE BANK NATIONAL TRUST COMPANY, AS ASSIGNEE OF NEW DURHAM CORPORATION, AS TRUSTEE** and that (s)he, in such capacity, being authorized to do so, voluntarily signed the foregoing on behalf of the bank for the purposes stated therein.

Date: \_\_\_\_\_

\_\_\_\_\_  
Official Signature of Notary

\_\_\_\_\_, Notary Public  
Notary Public's printed or typed name

My Commission expires: \_\_\_\_\_

(Official Stamp or Seal)

## **EXHIBIT A**

### **DESCRIPTION OF REAL PROPERTY TO BE RELEASED FROM DEED OF TRUST**

North Parking Deck:

COMMENCING at LEC Monument #233 having grid coordinates of North 815,023.774 and East 2,028,555.7 and running thence North 19° 20' 09" West to an iron pin, the PLACE AND POINT OF BEGINNING, said iron pin being the southernmost corner of that parcel described as Lot 9, Block D, Project 16 on the Plat recorded in Plat Book 71, Page 43, Durham County Registry; thence South 30° 50' 26" West 20.50 feet to a computed point; thence South 59° 09' 34" East 255.24 feet to a computed point; thence North 30° 50' 26" East 343.35 feet to a computed point in the southern right of way of Pettigrew Street and Southern Railroad; thence along and with said right of way the following three courses and distances: 1) North 54° 33' 45" West 75.30 feet to an iron pin; 2) North 55° 38' 00" West 170.05 feet to an iron pin; and 3) North 55° 34' 27" West 5.22 feet to a computed point; thence leaving said right of way and running South 32° 35' 24" West 170.09 feet to an iron pin; thence South 30° 51' 24" West 169.66 feet to a place and point of beginning, and being all of Lot 1, containing 2.054 acres, as shown on the plat entitled "Final Plat: City of Durham American Tobacco Campus North Parking Garage" dated August 27, 2003 and recorded in Plat Book 159, Page 235, Durham County Registry, to which plat reference is hereby made for a more particular description of same.